

NO.

DAVID ASA VILLARREAL,
 Appellant

§

IN THE COURT OF

FILED
 COURT OF CRIMINAL APPEALS
 1/15/2020
 DEANA WILLIAMSON, CLERK

vs.

§

CRIMINAL APPEALS

THE STATE OF TEXAS,
 Appellee

§

AUSTIN, TEXAS

MOTION FOR EXTENSION OF TIME
 TO FILE APPELLANT'S
 PETITION FOR DISCRETIONARY REVIEW

TO THE HONORABLE COURT OF CRIMINAL APPEALS:

Now comes, David Asa Villarreal, appellant in the instant cause, by and through undersigned counsel, Edward F. Shaughnessy, and files this Appellant's Motion for Extension of Time to File Petition for Discretionary Review pursuant or Rule 68.2(c), Tex. R. App. Proc. In support of the instant motion the Appellant would show unto this Court the following:

A.

The appellant was charged, by way of an indictment, with the offense of Murder in cause number 2016-CR-0549. The appellant was convicted by a jury of the offense as charged in the indictment in the 186th District Court of Bexar County. The appellant was sentenced by the jury to sixty years of confinement in confinement in the Texas Department of Corrections. An

appeal of that judgment was pursued to the Court of Appeals for the Fourth Court of Appeals District. The appellant's conviction was affirmed in all respects on December 27, 2019. Undersigned counsel represented the appellant in the Court below as court-appointed counsel and has been appointed by the trial court to file a Petition for Discretionary Review on behalf of the appellant. That petition is due to be filed with this Court on or before January 27, 2020. The appellant would respectfully request an extension of time of forty-five days in which to file the appellant's petition. In support of that request the appellant would show unto the Court the following:

B.

Counsel has recently filed a brief in the following matters: *Devante Montreal Parker v. The State of Texas*, Cause No. 04-19-00478-CR (Appellant's Brief). Counsel also recently filed a brief on behalf of the appellant in the case of *The State of Texas v. Buddy Martin*, Cause No. 13-19-00425-CR (Appellant's Brief). Counsel is in the process of compiling a brief on behalf of the appellee in *Paul D. Robbins v. The State of Texas*, Cause No. 13-18-00349-CR.

C.

Counsel is presently in the course of preparing for trial in the following capital murder case: The State of Texas v. Ashton Lomas, Cause number, 2017-CR-5150-A, currently pending trial in the 379th District Court of Bexar County. Counsel also has a number of felony trial settings in Bexar, Atascosa and Medina Counties during the coming months.

D.

In addition the undersigned serves as a part-time Criminal law Magistrate for the District Courts of Bexar County. Counsel has recently served and continues to serve in that capacity.

PRAYER FOR RELIEF

Wherefore premises considered, the appellant would request that this Court grant the appellee an additional forty-five (45) days in which to file a Petition for Discretionary Review in the instant case.

Respectfully submitted,

/S/E. F. Shaughnessy
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CERTIFICATE OF SERVICE

I, Edward F. Shaughnessy, hereby certify that a copy of the instant motion was served upon Andrew Warthen, attorney for the appellee, by mailing the motion to 101 W. Nueva, San Antonio , Texas 78205 on this the 14th day of January, 2020.

/S/ E.F. Shaughnessy
Edward F. Shaughnessy, III
Attorney for the Appellant